

Applicants respectfully request the following amendments in support of the following remarks.

REMARKS

In an Office Action mailed September 24, 2003, claims 11 and 18 were allowed and claims 8-10, 12-15, 17, 19-22 and 24-31 were rejected. Applicants are herein submitting an affidavit from inventor Magdy Abadir setting forth the details presented in Applicants' amendment response filed May 22, 2003 regarding Applicants' paper that is being used as the basis for the stated rejection. Applicants are requesting reconsideration of the rejection and the allowance of the application.

Claims 8-10, 12-15, 17, 19-22 and 24-31 were rejected under 35 U.S.C. 102(a) as being anticipated by the Bhadra et al. paper entitled "A Quick and Inexpensive Method to Identify False Critical Paths Using ATPG Techniques: An Experiment with a PowerPC Microprocessor". Applicants are submitting the attached Affidavit declaration under 37 C.F.R. 1.132 affirming from Applicant Magdy Abadir that he and named joint Applicant Jayanta Bhadra coauthored all of the material in this reference that is common with or suggests the claimed subject matter of claims 8-10, 12-15, 17, 19-22 and 24-31. Therefore, Applicants respectfully submit this reference is not valid prior art for purposes of 35 U.S.C. 102(a) and therefore the rejection is improper and should be withdrawn. Applicants therefore request the allowance of claims 8-10, 12-15, 17, 19-22 and 24-31.

In the prior communication, Applicants also made note that the Bhadra et al. reference is not a valid reference under 35 U.S.C. 102(b) since it was published

within one year of this application's filing date. Applicants recognize that the Examiner has not and is not using 35 U.S.C. 102(b) to reject the pending claims.


With the removal of Applicants' paper as a prior art reference, all other claims herein are allowable over the prior art made of record. In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned at (512) 996-6839.

Respectfully submitted,

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